



IPW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application of

Atty Dkt. 829-618
C# M#

YONEMARU, M.

TC/A.U. 2826

Serial No. 10/720,764

Examiner: Dickey, T.

Filed: November 25, 2003

Date: January 24, 2005

Title: SEMICONDUCTOR INTEGRATED CIRCUIT AND FABRICATION METHOD FOR
SAME

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE/AMENDMENT/LETTER

This is a response/amendment/letter in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

Correspondence Address Indication Form Attached.

Fees are attached as calculated below:

| | | | |
|--|----|----------------------|--------------------------------|
| Total effective claims after amendment | 23 | minus highest number | |
| previously paid for | 23 | (at least 20) = | 0 x \$50.00 |
| | | | \$0.00 (1202)/\$0.00 (2202) \$ |

| | | | |
|------------------------------------|---|----------------------|--------------------------------|
| Independent claims after amendment | 2 | minus highest number | |
| previously paid for | 3 | (at least 3) = | 0 x \$200.00 |
| | | | \$0.00 (1201)/\$0.00 (2201) \$ |

If proper multiple dependent claims now added for first time, (ignore improper); add
\$360.00 (1051)/\$180.00 (2051) \$

Petition is hereby made to extend the current due date so as to cover the filing date of this
paper and attachment(s)

| | |
|------------------------|-------------------------------------|
| One Month Extension | \$120.00 (1251)/\$60.00 (2251) |
| Two Month Extensions | \$450.00 (1252)/\$225.00 (2252) |
| Three Month Extensions | \$1020.00 (1253)/\$510.00 (2253) |
| Four Month Extensions | \$1590.00 (1254)/\$795.00 (2254) \$ |

Terminal disclaimer enclosed, add
\$130.00 (1814)/ \$65.00 (2814) \$

Applicant claims "small entity" status. Statement filed herewith

Rule 56 Information Disclosure Statement Filing Fee
\$180.00 (1806) \$

Assignment Recording Fee
\$40.00 (8021) \$

Other:
\$

TOTAL FEE ENCLOSED \$ 0.00

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

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NIXON & VANDERHYE P.C.
By Atty: H. Warren Burnam, Jr., Reg. No. 29,366

Signature: Mailee Beene



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

YONEMARU, M.

Atty. Ref.: 829-618

Serial No. 10/720,764

Group: 2826

Filed: November 25, 2003

Examiner: Dickey, T.

For: SEMICONDUCTOR INTEGRATED CIRCUIT AND
FABRICATION METHOD FOR SAME

* * * * *

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

ELECTION UNDER 35 USC §121

In response to the Office Action dated December 22, 2004, Applicant elects Embodiment 2 (the species of Figs. 8A-8B and 9A-9C and page 53, line 3 through page 56, line 13, claims 1, 4, 6 and 8) for further prosecution in the event no generic claim is finally held to be allowable. Applicant deems claim 1 to be generic.

This election is made without traverse. However, since a restriction requirement is never proper unless the restricted group of claims is patentably distinct (i.e., inter alia, non-obvious under 35 USC §103) from the elected group of claims, the Examiner is requested to insure that such patentable distinctness is present before proceeding to make the requirement final.

It is respectfully requested that the non-elected claims be retained.

The Commissioner is authorized to charge the undersigned's deposit account no. 14-1140 in whatever amount is necessary for entry of this Amendment and the continued pendency of the captioned application, including but not limited to any extension of time fees.

YONEMARU, M.
Serial No. 10/720,764

Should the Examiner feel that an interview with the undersigned would facilitate allowance of this application, the Examiner is encouraged to contact the undersigned.

Respectfully submitted,
NIXON & VANDERHYE P.C.

By: _____

H. Warren Burnam, Jr.

Reg. No. 29,366

HWB:lsh

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